

Please replace the paragraph at page 9, lines 11-14, with the following:

CL
This protein or polypeptide is acidic, rich in glycine and serine, and lacks cysteine. It is also heat stable, protease sensitive, and suppressed by inhibitors of plant metabolism. The protein or polypeptide of the present invention has a predicted molecular size of ca. 45 kDa.

In the Claims:

Please delete claims 11-16 and 29-37 without prejudice and amend claims 1-7 and 9-10 as follows:

- 52
D5
- 13
1. (Amended) An isolated DNA molecule encoding a hypersensitive response eliciting protein or polypeptide, wherein the isolated DNA molecule is selected from the group consisting of (a) a DNA molecule comprising SEQ. ID. No. 1, (b) a DNA molecule encoding a protein comprising SEQ. ID. No. 2, (c) a DNA molecule which hybridizes to a DNA molecule comprising the complement of SEQ. ID. No. 1 under conditions comprising hybridization at a temperature of about 65°C in a hybridization medium comprising about 1M NaCl, and (d) a DNA molecule complementary to DNA molecules (a), (b), or (c).
 2. (Amended) An isolated DNA molecule according to claim 1, wherein said DNA molecule is a DNA molecule comprising SEQ. ID. No. 1.
 3. (Amended) An isolated DNA molecule according to claim 1, wherein said DNA molecule is a DNA molecule encoding protein comprising SEQ. ID. No. 2.
 4. (Amended) An isolated DNA molecule according to claim 1, wherein said DNA molecule is a DNA molecule which hybridizes to a DNA molecule comprising the complement of SEQ. ID. No. 1 under conditions comprising hybridization at a temperature of about 65°C in a hybridization medium comprising about 1M NaCl.
 5. (Amended) An isolated DNA molecule according to claim 1, wherein said DNA molecule is a DNA molecule complementary to DNA molecules (a), (b), or (c).

6. (Amended) An expression vector comprising the DNA molecule of

claim 1.

7. (Amended) An expression vector according to claim 6, wherein the

DNA molecule is in sense orientation.

9. (Amended) A host cell according to claim 8, wherein the host cell a

plant cell or a bacterial cell.

10. (Amended) A host cell according to claim 8, wherein the DNA

molecule is comprised within an expression vector.